

FILED IN DISTRICT COURT
OKLAHOMA COUNTY



IN THE DISTRICT COURT OF OKLAHOMA COUNTY **SEP -8 2026**
STATE OF OKLAHOMA

RICK WARREN
COURT CLERK

109 _____

BILLY & LACY HURSH,

Plaintiffs,

v.

**STATE FARM FIRE AND
CASUALTY COMPANY; MARK D.
WELTY; and MARK D. WELTY
INSURANCE AGENCY, INC.,**

Defendants.

Case No. CJ-2025-2626
Honorable Amy Palumbo

**PLAINTIFFS' RESPONSE TO DEFENDANT STATE FARM FIRE AND CASUALTY
COMPANY'S MOTION TO STRIKE PLAINTIFFS' MOTION TO STRIKE
CONFIDENTIALITY ASSERTIONS AND DE-DESIGNATE DOCUMENTS**

COMES NOW the Plaintiffs, by and through counsel of Whitten Burrage, hereby submits the following Response to State Farm's Motion to Strike Confidentiality Assertions and De-designate Documents ("Motion"). State Farm's Motion is moot.

On September 1, 2026, the parties appeared before this Court on Plaintiffs' Motion to Strike Confidentiality Assertions and De-designate Documents and State Farm's Motion to Quash Jon Farney's deposition. This Court graciously took us after an all-day jury trial and noted at the offset of the hearing that both parties had violated procedural rules, noting that Plaintiffs' Motion to De-designate was over the page limit by four (4) pages and noting that State Farm's footnotes were extremely long and took up nearly half a page on certain pages.

Thereafter, this Court stepped off the bench after advising the parties to discuss how they wished to proceed. The parties discussed together that each were willing to waive objections pursuant to these procedural defects and proceed on the merits. Once this Court stepped back on the bench, Mr. Leffel stated on the record (there is not a record yet but happy to supplement the official record when it becomes available) that the parties were willing to move forward on the merits.

This Court then took up State Farm's Motion to Quash and denied it, ruling that Mr. Farney could be deposed for four hours, with the ability for Plaintiffs to ask for more time if warranted. *See* Ex. 1, Minute Order. Because it was already almost five PM at that time, this Court noted the need to reset Plaintiffs' Motion to De-designate. The parties worked together and have reset this Motion for September 28, 2026 at 9 am. *See* Ex. 2, Notice of Hearing.

For the record, the four (4) additional pages was a mistake. Plaintiffs' counsel included screenshots of certain important sections in the documents seeking to be de-designated and in the hopes of providing clarity to the lengthy exhibits, accidentally created a formatting error wherein

when our trusted paralegal re-formatted, she nor us caught that it pushed the brief four pages over the limit. The allegation that the brief was not 12 point font was false, the brief was properly 12 point font. Plaintiffs' counsel apologizes for this error and it will not occur again.

CONCLUSION

State Farm's Motion is moot and should be denied. State Farm's counsel agreed to proceed on the merits, and as such, its request to strike should not be considered.

Respectfully submitted,

Hannah Whitten
Reggie N. Whitten, OBA No. 9576
Michael Burrage, OBA No. 1350
Blake Sonne, OBA No. 20341
Hannah E. Whitten, OBA No. 35261
John S. Sanders, OBA No. 34990
Jake Denne, OBA No. 35097
WHITTEN BURRAGE
512 N. Broadway Avenue, Suite 300
Oklahoma City, OK 73102
Telephone: (405) 516-7800
Facsimile: (405) 516-7859
rwhitten@whittenburragelaw.com
mburrage@whittenburragelaw.com
bsonne@whittenburragelaw.com
hwhitten@whittenburragelaw.com
jsanders@whittenburragelaw.com

~and~

R. Ryan Deligans, OBA #19793
Andrew M. Gunn, OBA #19470
920 North Harvey
Oklahoma City, OK 73102-2610
Telephone: (405)235-9584
Facsimile: (405)235-0551
rdeligan@dlb.net
agunn@dlb.net

~and~

R. Ryan Deligans, OBA #19793
Andrew M. Gunn, OBA #19470
920 North Harvey
Oklahoma City, OK 73102-2610

Telephone: (405)235-9584
Facsimile: (405)235-0551
rdeligan@dlb.net
agunn@dlb.net

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing was served by email and/or regular mail this 8th day of September, 2026, upon:

Carrie McNeer
Grant A. Fitz
GABLEGOTWALS
110 N. Elgin Avenue
Suite 200
Tulsa, OK 74120-1490
(918) 595-4800
(918) 595-4990 (fax)
cmcneer@gablelaw.com
gfitz@gablelaw.com

-and-

Lance E. Leffel
GABLEGOTWALS
BOK Park Plaza
499 W. Sheridan Ave. Suite 2200
Oklahoma City, OK 73102
lleffel@gablelaw.com
(405) 235-5500
(405) 235-2875 (fax)
ATTORNEYS FOR DEFENDANTS



Hannah Whitten

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

Hursh

FILED IN DISTRICT COURT
OKLAHOMA COUNTY
Petitioner(s)

David Leffel, Michael Burrage, Blake Sore, Hannah Whitten,
Attorney(s) for Petitioner

--vs.

SEP 01 2026

Case No. CJ-2025-2626

State Farm, et. al

RICK WARREN
COURT CLERK
Respondent(s)

David Leffel
Attorney(s) for Respondent

COURT MINUTE

SEP 02 2026

Date: 9-1-2026

Judge Amy Pallumbo

RICK WARREN
COURT CLERK

Hearing On: State Farm's Motion to Quash Jon Farney Notice & Mot. for PO
Ruling By Court:

State Farm's Motion to Quash Jon Farney & Motion for protective order is denied. The deposition of Mr. Farney is to take place within the next 30 days. The deposition is limited to 4 hours and the parties can request more time later if needed.

EXHIBIT

1

Counsel for Plaintiffs

David Leffel

The Court

[Signature]

Counsel for State Farm

[Signature]

Lance E. Leffel

**IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA**

BILLY & LACY HURSH,

Plaintiffs,

v.

**STATE FARM FIRE AND
CASUALTY COMPANY; MARK D.
WELTY; and MARK D. WELTY
INSURANCE AGENCY, INC.,**

Defendants.

FILED

DISTRICT COURT
OKLAHOMA COUNTY, OKLAHOMA

September 3, 2026 2:26 PM

RICK WARREN, COURT CLERK

Case Number CJ-2025-2626

Case No. CJ-2025-2626

Honorable Amy Palumbo

NOTICE OF HEARING

PLEASE TAKE NOTICE that a hearing on Plaintiffs' Motion to (1) Strike Defendant State Farm's Blanket Confidentiality Assertion, (2) and De-Designate Documents Produced for Good Cause Based on State Farm's Failure to Engage in Good Faith as Required filed on August 4, 2026 has been set for hearing on the 28th day of September, 2026, at 9:00 A.M. before the Honorable Judge Amy Palumbo at the Oklahoma County Courthouse, Oklahoma City, Oklahoma.

Respectfully submitted,

Hannah Whitten

Reggie N. Whitten, OBA No. 9576

Michael Burrage, OBA No. 1350

Blake Sonne, OBA No. 20341

Hannah Whitten, OBA No. 35261

John S. Sanders, OBA No. 34990

Jake Denne, OBA No. 35097

WHITTEN BURRAGE

512 North Broadway Avenue, Suite 300

Oklahoma City, OK 73102

Office: 405.516.7800

Facsimile: 405.516.7859

rwhitten@whittenburragelaw.com

mburrage@whittenburragelaw.com

bsonne@whittenburragelaw.com

EXHIBIT

2

hwhitten@whittenburrageclaw.com

jsanders@whittenburrageclaw.com

jdenne@whittenburrageclaw.com

&

Patrick F. Collogan, OBA #30529

Biby Law Firm

6305 E. 120th Ct., Suite F

Tulsa, OK 74137

918-574-8458

888-572-8263 (fax)

pat@bibylaw.com

&

R. Ryan Deligans,

Durbin, Larimore & Bialick

920 North Harvey

Oklahoma City, OK 73102

rdeligans@dlb.net

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of September 2026, the above and foregoing was emailed and/or mailed, by certified mail, return receipt requested to:

Carrie McNeer
Grant A. Fitz
Nathan A. Miramontes
Lisa T. Silvestri,
GABLEGOTWALS
110 N. Elgin Avenue
Suite 200
Tulsa, OK 74120-1490
(918) 595-4800
(918) 595-4990 (fax)
cmcneer@gablelaw.com
gfitz@gablelaw.com
nmiramontes@gablelaw.com

-and-

Lance E. Leffel
David R. Herber
GABLEGOTWALS
BOK Park Plaza
499 W. Sheridan Ave. Suite 2200
Oklahoma City, OK 73102
lleffel@gablelaw.com
(405) 235-5500
(405) 235-2875 (fax)
ATTORNEYS FOR DEFENDANTS


Hannah Whitten